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equipment standards of either the documenting nation or the International Maritime Organization Code for Construction and Equipment of Mobile Offshore Drilling Units, a fee of \$1,830.

(b) For examination for the issuance of a Certificate of Compliance indicating compliance with the design and equipment standards of 46 CFR part 108, the inspection fee listed in table 2.10-101 of this subpart for the same type of mobile offshore drilling unit.

[CGD 91-030, 60 FR 13563, Mar. 13, 1995, as amended by USCG-2010-0759, 75 FR 60001, Sept. 29, 2010]

§ 2.10-135 Penalties.

(a) A vessel owner or operator who fails to pay a fee or charge established under this subpart is liable to the United States Government for a civil penalty.

(b) In addition to the fees established in this subpart, the Coast Guard may recover collection and enforcement costs associated with delinquent payments of, or failure to pay, a fee. Coast Guard inspection and examination services may also be withheld pending payment of outstanding fees owed to the Coast Guard for inspection and examination services provided.

(c) Each District Commander or Officer in Charge Marine Inspection may request the Secretary of the Treasury, or the authorized representative thereof, to withhold or revoke the clearance required by 46 U.S.C. app. 91 of a vessel for which a fee or charge established under this part has not been paid or until a bond is posted for the payment.

[CGD 91-030, 60 FR 13563, Mar. 13, 1995, as amended by CGD 96-052, 62 FR 16703, Apr. 8, 1997]

Subpart 2.20—Reports and Forms

§ 2.20-40 Chief engineer's reports.

(a) Repairs to boilers and pressure vessels. The chief engineer is required to report any repairs to boilers or unfired pressure vessels in accordance with §§ 33.25-5, 78.33-1, and 97.30-1 of this chapter.

(b) The chief engineer of any vessel is required to report any accident to a boiler, unfired pressure vessel, or machinery tending to render the further

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use of the item unsafe until repairs are made by §§ 35.25-5, 78.33-5, and 97.30-5 of this chapter.

(c) When fusible plugs in boilers are renewed at a time other than the inspection for certification and there is no marine inspector in attendance at the renewal, the chief engineer must report the renewal of the fusible plugs by letter to the OCMI who issued the certificate of inspection. This letter report must contain the following information:

- (1) Name and official number of vessel.
- (2) Date of renewal of fusible plugs.
- (3) Number and location of fusible plugs renewed in each boiler.
- (4) Manufacturer and heat number of each plug.
- (5) Reason for renewal.

[CGFR 65-50, 30 FR 16604, Dec. 30, 1965, as amended by CGFR 68-82, 33 FR 18804, Dec. 18, 1968; USCG-2004-18884, 69 FR 58341, Sept. 30, 2004]

§ 2.20-50 Repairs or alterations in life-saving or fire prevention equipment.

No repairs or alterations shall be made to any lifesaving or fire-detecting or fire-extinguishing equipment, except in an emergency, without advance notice to the Officer in Charge, Marine Inspection. See §§ 78.33-10 and 97.30-10 of this chapter.

[CGFR 65-50, 30 FR 16604, Dec. 30, 1965, as amended by CGD 97-057, 62 FR 51041, Sept. 30, 1997; USCG-2004-18884, 69 FR 58341, Sept. 30, 2004]

Subpart 2.45—Classification Society Activities

SOURCE: 77 FR 47551, Aug. 9, 2012, unless otherwise noted.

§ 2.45-1 Definitions.

The following definitions apply to this subpart:

Administration means the Government of the State whose flag the ship is entitled to fly.

Classification society means an organization that, at a minimum, verifies that a vessel meets requirements embodying the technical rules, regulations, standards, guidelines and associated surveys, and inspections covering

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the design, construction, and/or through life compliance of a ship's structure and essential engineering and electrical systems.

Recognized Organization (RO) means an organization authorized to act on behalf of an Administration.

Regional port state control secretariat means an organization established to collect and maintain port state control inspection data in addition to other functions under a regional agreement among countries.

§ 2.45-5 Incorporation by reference.

(a) Certain material is incorporated by reference into this part with the approval of the Director of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in this section, the Coast Guard must publish notice of change in the FEDERAL REGISTER and the material must be available to the public. All approved material is available for inspection at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030 or go to http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html. Also, it is available for inspection at the Coast Guard's Office of Design and Engineering Systems (CG-ENG), 2100 Second Street SW., Washington, DC 20593-0001, and is available from the sources indicated in this section.

(b) International Maritime Organization, 4 Albert Embankment, London SE1 7SR, U.K. +44 (0)20 7735 7611, <http://www.imo.org/>.

(1) IMO Resolution A.739(18), Guidelines for the Authorization of Organizations Acting on Behalf of the Administration, adopted 4 November 1993, incorporation by reference approved for § 2.45-15.

(2) [Reserved]

§ 2.45-10 General.

(a) A classification society (including an employee or agent of that society) must not review, examine, survey, or certify the construction, repair, or alteration of a vessel in the United States unless it is approved under the provisions of this subpart.

(b) This subpart applies to a recognized organization that meets the definition of a classification society provided in § 2.45-1 of this subpart.

§ 2.45-15 Approval requirements.

(a) A classification society may be approved for purpose of § 2.45-10 if the following conditions are met:

(1) Vessels surveyed by the classification society must have a worldwide port state control detention rate of less than 2 percent based on the number of Recognized Organization (RO)-related detentions divided by the number of vessel inspections for at least 40 port state control inspections for the past 3 years;

(2) The classification society must not be identified in the most recent publication of "Port State Control in the United States" as a Priority I and as having more than one RO-related detention for the past 3 years;

(3) The classification society must comply with the minimum standards for an RO recommended in IMO Resolution A.739(18), Appendix 1 (incorporated by reference, see § 2.45-5.);

(4) The classification society must be an RO for at least one country under a formal written agreement that includes all of the elements described in IMO Resolution A.739(18), Appendix 2 (incorporated by reference, see § 2.45-5.);

(5) The referenced country that is cited for satisfaction of the requirement of paragraph (a)(4) of this section for which the classification society is an RO—

(i) Must be signatory to each of the following: The International Safety of Life at Sea Convention (SOLAS), the International Convention on the Prevention of Pollution from Ships (MARPOL 73/78), the International Convention on Load Lines (ICLL), 1966, and the Protocol of 1988 relating to the ICLL, 1966; and

(ii) Must not be identified as a flag state targeted for additional port state control action by the Coast Guard or any regional port state control secretariat.

(6) The classification society must use a system to—